

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DOROTHY J. OWENS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:07-0021
)	Judge Echols
)	
CHIEF GLENN CHRISMAN, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on a Report and Recommendation ("R & R") (Docket Entry No. 42) in which the Magistrate Judge recommends granting the Defendants' Motion for Summary Judgment (Docket Entry No. 34) and dismissing Plaintiff's Complaint for alleged violations of her civil rights as a result of an encounter which she had with members of the Murfreesboro Police Department on July 23, 2006. The R & R was issued on October 3, 2007, and Plaintiff has filed no objections thereto even though she was informed in the R & R that any objections needed to be filed within ten (10) days (Docket Entry No. 42 at 16).

Where, as here, no objections are made to the R & R, "[t]he district judge may accept, reject, or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions." Fed.R.Civ.P. 72(b). This Court has thoroughly reviewed the Complaint, Defendants' Motion for

Summary Judgment, and Plaintiff's Responses thereto (Docket Entry Nos. 39 & 41). The Court finds that the Magistrate Judge properly analyzed Plaintiff's claims and employed the proper legal analysis to resolve those claims. The Magistrate Judge correctly determined that the Defendants are entitled to summary judgment in light of the law surrounding municipal liability, supervisory liability, qualified immunity, and excessive force claims in the context of a plea of guilty to resisting arrest in state court. Based upon the entire record, this Court finds that there is no genuine issue as to a material fact and that the Defendants are entitled to judgment as a matter of law.

Accordingly, the Court rules as follows:

(1) The Report and Recommendation (Docket Entry No. 42) is hereby ACCEPTED AND APPROVED;

(2) Defendants' Motion for Summary Judgment (Docket Entry No. 34) is hereby GRANTED; and

(3) This case is hereby DISMISSED WITH PREJUDICE.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE